

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

_____)	
JUDICIAL WATCH, INC.,)	
)	
Plaintiff,)	
)	
v.)	Case No. 1:15-cv-00687
)	
UNITED STATES DEPARTMENT OF STATE,)	
)	
Defendant.)	
)	
_____)	

STATUS REPORT

Defendant, the United States Department of State (“State” or “Defendant”), provides this Status Report pursuant to the Court’s request at the status conference held in this matter on October 19, 2017, and in advance of the November 30, 2017 status conference. The Court asked State to address: (1) whether State’s anticipated increase in resources devoted to its processing of Freedom of Information Act (“FOIA”) requests would affect the monthly processing rate in this case; (2) the estimated time line for completing the processing of each of the discs provided to State by the FBI in July and August of 2016 that contain material that is potentially responsive to the FOIA request at issue in this case; and (3) the number of documents that State has withheld in full from the discs provided by the FBI.

State has reassessed its FOIA demands and has reallocated resources in an effort to increase the amount of resources devoted to its processing of FOIA requests both in and out of litigation. In light of these efforts, State estimates that it can complete its processing of the

relevant discs¹ provided by the FBI on the following time line:

<u>Date</u>	<u>Discs</u>
January 31, 2018	Discs 1 and 4
March 30, 2018	Discs 2 ² and 7 ³
September 28, 2018	Discs 3 and 5

These anticipated completion dates reflect an accelerated time line for release made possible because of the resources being devoted to this case. The commitment of these additional resources will accelerate the time for completing processing of these materials by approximately seven months, when compared to the projected completion date based on the current monthly processing requirements in this case and *Leopold v. Department of Justice*, 15-cv-2117 (RDM). State proposes that the Court adopt the above target dates for completion of the discs rather than increasing the minimum monthly processing requirement currently in effect because doing so will provide State maximum administrative flexibility. State requires such flexibility because of competing FOIA demands and available resources, and because the new processes designed to improve State's FOIA program are still evolving. In the course of meeting the target completion dates, State will continue to make monthly postings of responsive, non-

¹ State received seven discs from the FBI in July and August of 2016. State has determined that Disc 6, which is understood to consist of material that the FBI received from the Secret Service, would not be reasonably likely to contain records responsive to the request at issue in this case.

² Disc 2 is comprised of documents that are largely duplicative of material previously in State's possession, which was processed in response to multiple FOIA requests, including the request at issue in this case. State has reviewed the documents on Disc 2 and determined that a small volume of non-duplicative documents will need to be reviewed for responsiveness in this case.

³ Disc 7 contains a small volume of classified materials. State has determined that only a limited number of the documents on this disc are non-duplicative. These documents will be reviewed for responsiveness in this case.

exempt material.

To date, State has withheld in full 22 documents among the material provided by the FBI in July and August of 2016. Of the 22 documents, 19 were withheld pursuant to FOIA Exemption 5 and three were withheld pursuant to Exemption 6.

State will be prepared to discuss this information with the Court at the November 30, 2017 status conference.

Dated this 29th day of November 2017.

Respectfully Submitted,

CHAD A. READLER
Principal Deputy Assistant Attorney General

JESSE K. LIU
United States Attorney

MARCIA BERMAN
Assistant Director, Federal Programs Branch

/s/ Jennie L. Kneedler

JENNIE L. KNEEDLER
D.C. Bar No. 500261
U.S. Department of Justice
Civil Division
Federal Programs Branch
P.O. Box 883
Washington, D.C. 20044
Telephone: (202) 305-8662
Facsimile: (202) 616-8470
E-mail: Jennie.L.Kneedler@usdoj.gov

Counsel for Defendant